

ROPES & GRAY
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2824
PHONE: (617) 951-7000
FAX: (617) 951-7050

FAX RECEIVED

NOV 20 2001

GROUP 1600

FAX TRANSMITTAL LETTERTotal Number of pages including this transmittal letter: 2

<u>Name</u>	<u>Firm/Company</u>	<u>Fax Number</u>	<u>Phone Number</u>
Examiner M. Pak	U.S. Patent and Trademark Office Group 1646	703 872 9307	

From: David P. Halstead

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL IMMEDIATELY AT:

(617) 951-7000**IMPORTANT: PLEASE DELIVER THIS DOCUMENT IMMEDIATELY!**

COMPLETE WHEN SUBMITTING TO FAX DEPARTMENT

Date: November 9, 2001

Time: 4:34 PM

File Symbol: GPCI-P02-032

Personal ID Number: 28436

Submitted By: David P. Halstead

Phone: (617) 951-7000

Comments: This Notice of Appeal is being sent for U.S. Applicant Serial No. 09/072,994, entitled Cell-cycle Regulatory Proteins from Human Pathogens, and Uses Related Thereto, Filed May 5, 1998.

If there are any questions or concerns surrounding this transmission, please do not hesitate to contact me.

THIS DOCUMENT IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If you are not the intended recipient, any dissemination, distribution, copying or use of this document is strictly prohibited. If you have received this communication in error, please notify us by telephone (Collect:) to arrange for the destruction or return of the original document to us.

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**
Docket No.
GPCI-P02-032
In Re Application Of: Cottarel, et al.

Serial No.
09/072,994
Filing Date
May 5, 1998
Examiner
Pak, M.
Group Art Unit
1646

#28
11/27/01

Invention:
CELL-CYCLE REGULATORY PROTEINS FROM HUMAN PATHOGENS, AND USES RELATED THERETO
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **May 9, 2001** finally rejecting Claim(s) **14-22 and 37-40**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☐ has already been filed in this application.

The fee for this Notice of Appeal is: **\$160.00**

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **18-1945**
A duplicate copy of this sheet is enclosed.

OFFICIAL

11/27/2001 09:01:00 00000005 181945 09072994

01 FC:217 450.00 CH
02 FC:219 160.00 CH

Signature

David P. Halstead
Registration No. 44,735
Ropes & Gray
Patent Group
One International Place
Boston, MA 02110

Customer ID 28120

CC:

Dated: **November 9, 2001**

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Fax No. 703-872-9307, on the date indicated below:

November 9, 2001

Date of Signature and Transmission

Brent LaBerge
Signature of Person Transmitting Correspondence
Brent LaBerge

Typed or Printed Name of Person transmitting Correspondence

P135SMALL/REV08